

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

14-CR-089-A

STACY SAMUELS,

Defendant.

MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT

THE UNITED STATES OF AMERICA, by and through its attorneys, William J. Hochul, Jr., United States Attorney for the Western District of New York, and Edward H. White, Assistant United States Attorney, hereby files the following motion for an exclusion of time under the Speedy Trial Act.

On May 16, 2014, the parties appeared to set a trial date. Defense counsel requested a status conference be set in two weeks to provide time for him to review discovery materials that he previously was unaware of. The Court set a status conference for May 30, 2014 at 9:00 a.m.

The government requests that the time from and including May 16, 2014 through and including May 30, 2014 be excluded under the Speedy Trial Act. The additional time would allow defense counsel to review the discovery materials and to consult with the defendant to assure effective assistance and continuity of counsel and also allow the parties to discuss a

possible pre-trial resolution of the case that could benefit the defendant by her receiving a sentence that may be less than what she would receive if she were to take the case to trial and be convicted and also benefit the public by saving the costs and time of a trial. Accordingly, the government believes, and the defendant agrees, that the ends of justice served by granting the continuance and excluding the time outweigh the best interests of the defendant and the public in a speedy trial under Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The government has consulted with defense counsel, Jeremy Schwartz, and he consents to the requested exclusion of time.

WHEREFORE, based upon the foregoing, it is respectfully requested that the Court enter the proposed Speedy Trial Order, submitted herewith, excluding the time in the interest of justice pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

DATED: Buffalo, New York, May 16, 2014.

Respectfully submitted,

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